

AMENDED IN SENATE MARCH 24, 2014

**SENATE BILL**

**No. 1415**

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**Introduced by Senator Hill**

February 21, 2014

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An act to amend Section 40262 of the Health and Safety Code, relating to the Bay Area Air Quality Management District.

LEGISLATIVE COUNSEL'S DIGEST

SB 1415, as amended, Hill. Bay Area Air Quality Management District: advisory council.

(1) Existing law establishes the Bay Area Air Quality Management District, which is vested with the authority to regulate air emissions located in the boundaries of the Counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara and portions of the Counties of Solano and Sonoma. Existing law establishes a district board to govern the district.

Existing law also establishes the Bay Area Air Quality Management Council, which consists of 20 members appointed by the district board, as specified, for the purposes of advising and consulting with the district board and air pollution control officer in the implementation of their authority to regulate air emissions.

*This bill would limit the council to 7 appointed members, would no longer allow for members of the general public to be appointed under specified circumstances, and would additionally require the inclusion of members who are skilled and experienced in the fields of air pollution, climate change, or the health impacts of air pollution. The bill would require members to be selected to include a diversity of perspectives, expertise, and backgrounds. By adding to the duties of the district, this bill would impose a state-mandated local program.*

~~This bill additionally would require the council to include members who are skilled and experienced in the fields of air pollution, climate change, or the health impacts of air pollution. By adding to the duties of the district, this bill would impose a state-mandated local program.~~

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 40262 of the Health and Safety Code is  
2     amended to read:

3     40262. The council shall consist of the ~~chairman~~ following:

4     (a) Chair of the bay district board, who shall serve as an ex  
5     officio ~~member, and 20 member.~~

6     (b) ~~Seven members who preferably are~~ shall be skilled and  
7     experienced in the ~~field~~ fields of air pollution, ~~including at least~~  
8     ~~three representatives of public health agencies, at least four~~  
9     ~~representatives of private organizations active in conservation or~~  
10    ~~protection of the environment within the bay district, and at least~~  
11    ~~one representative of colleges or universities in the state and at~~  
12    ~~least one representative of each of the following groups within the~~  
13    ~~bay district: regional park district, park and recreation commissions~~  
14    ~~or equivalent agencies of any city, public mass transportation~~  
15    ~~system, agriculture, industry, community planning, transportation,~~  
16    ~~registered professional engineers, general contractors, architects,~~  
17    ~~and organized labor~~ climate change, or the health impacts of air  
18    pollution. Members shall be selected to include a diversity of  
19    perspectives, expertise, and backgrounds.

20    To the extent that suitable persons cannot be found for each of  
21    the specified categories, council members may be appointed from  
22    the general public.

23    SECTION 1. ~~Section 40262 of the Health and Safety Code is~~  
24    ~~amended to read:~~

1     ~~40262. (a) The council shall consist of the following:~~  
2     ~~(1) Chair of the bay district board, who shall serve as an ex~~  
3 ~~officio member.~~  
4     ~~(2) Twenty members who shall be skilled and experienced in~~  
5 ~~the fields of air pollution, climate change, or the health impacts of~~  
6 ~~air pollution. The 20 members may include any of the following:~~  
7     ~~(A) At least three representatives of public health agencies.~~  
8     ~~(B) At least four representatives of private organizations active~~  
9 ~~in conservation or protection of the environment within the bay~~  
10 ~~district.~~  
11     ~~(C) At least one representative of colleges or universities in the~~  
12 ~~state.~~  
13     ~~(D) At least one representative of each of the following groups~~  
14 ~~within the bay district:~~  
15     ~~(i) Regional park district.~~  
16     ~~(ii) Park and recreation commissions or equivalent agencies of~~  
17 ~~any city.~~  
18     ~~(iii) Public mass transportation system.~~  
19     ~~(iv) Agriculture.~~  
20     ~~(v) Industry.~~  
21     ~~(vi) Community planning.~~  
22     ~~(vii) Transportation.~~  
23     ~~(viii) Registered professional engineers.~~  
24     ~~(ix) General contractors.~~  
25     ~~(x) Architects.~~  
26     ~~(xi) Organized labor.~~  
27     ~~(b) To the extent that suitable persons cannot be found for each~~  
28 ~~of the specified categories, council members may be appointed~~  
29 ~~from the general public.~~

30     SEC. 2. If the Commission on State Mandates determines that  
31 this act contains costs mandated by the state, reimbursement to  
32 local agencies and school districts for those costs shall be made  
33 pursuant to Part 7 (commencing with Section 17500) of Division  
34 4 of Title 2 of the Government Code.